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EMPOWERING WOMEN: THE CALL FOR EQUAL RIGHTS

"The specific experience of women must be added to traditional approaches to human rights . . . to transform the concept and practice of human rights in our culture so that it takes better account of women's lives."

Charlotte Bunch, Director,
Center for Women's Global
Leadership, Rutgers University,
United States

Dr. Bunch's words reflect a widespread concern. A growing international movement is under way to reaffirm that women's rights *are* indeed human rights. The point is being stressed by human rights organizations and experts, women's groups and the United Nations. Many human rights advocates today are calling for a revision of human rights law and practice to include all women's human rights concerns. A central request is the full inclusion of certain issues in the human rights agenda, starting with violence against women.

The current debate also focuses on the equal rights of women and the need to eliminate discrimination against them, in law as well as in practice. Other questions include discrimination against the girl child, and traditional practices harmful to women, such as sexual mutilation and "dowry deaths".

The World Conference on Human Rights, which the United Nations is convening at Vienna in June 1993, is seen by women's rights advocates as a major opportunity to include women's rights in the mainstream human rights agenda. Suggestions to that effect have been made by many United Nations bodies, nongovernmental organizations (NGOs) and academic experts. The United Nations Commission on the Status of Women has recommended that women's rights become an integral part of the Conference agenda. The United Nations Economic and Social Council has suggested that the Conference deal with discrimination against women which impedes the enjoyment of their economic, social and cultural rights, as well as of their civil and political rights. A similar appeal has been made by the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities.

For its part, the United Nations Committee on the Elimination of Discrimination against Women has recommended that the World Conference emphasize that women's equality is a significant human rights issue, and examine the effectiveness of human rights treaties *(see below)* in promoting equality.

NGOs—and various United Nations Member States—are mobilizing and campaigning to include women's rights in the Conference agenda. Several NGOs have sent representatives to participate in the meetings of the preparatory committee for the Conference.

Gender perspective

International human rights treaties and declarations do of course cover women, as they cover all human beings. But women's rights advocates believe there are certain human rights issues that need to be considered from a gender perspective.

"Of course, women sometimes suffer abuses such as political repression that are similar to abuses suffered by men," states Charlotte Bunch. "However, many violations of women's human rights are distinctly connected to being female—that is, women are discriminated against and abused on the basis of gender."

Many forms of discrimination are directly related to women's reproductive role. Human rights aspects of procreation encompass the right to decide freely on the number and spacing of children, the right to reproductive health and the right to sexual self-determination. Violations of women's reproductive rights occur, to varying degrees, in all geographical, political and socio-economic settings.

Worldwide, an estimated 300 million women have no access to quality family planning services, and thus have little control over their fertility. But without the ability to prevent unwanted pregnancies, women can hardly take charge of other aspects of their lives, be that in the areas of education, employment or participation in public life. Reproductive choice is also vital to the health of women. Over half a million women die every year from pregnancy-related causes (99 per cent in developing countries). For every woman who dies, 12 to 15 are left with serious, often permanent, disabilities. Yet, although pregnancy is a major cause of death and disease, investments in fertility management and reproductive health care still take low priority in most countries.

Finally, women suffer gross human rights violations through assaults on their sexual autonomy. A stark reminder is the continued practice of female genital mutilation to prevent women from enjoying sex. Some 80 million women worldwide have been subjected to this practice.

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Certain groups of women are particularly vulnerable to infringements of their sexual integrity. One such group is refugee women. At least 75 per cent of the world's 18 million refugees are women and children; in some countries, women and children make up 90 per cent of refugees. Refugee women are too often victims of rape and other physical and sexual abuses, and have special need of human rights protection.

Responding to such needs, the Office of the United Nations High Commissioner for Refugees has developed a policy seeking to integrate the needs and resources of refugee women in all aspects of its assistance. The policy promotes the participation of refugee women in the planning and implementation of all projects benefiting refugees.

Another issue is trafficking in women. This includes prostitution of women and girls, usually accompanied by coercion, violence or exploitation. As a consequence, women are sexually and economically abused and degraded, in violation of their fundamental human rights.

In this area, the United Nations has set international standards by approving the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, to which 64 States have adhered. Voices have now been raised asking for a United Nations convention against sexual exploitation.

But perhaps the most widespread gender-related abuse is violence against women. One problem is that much of this violence takes place in private, especially in the family. It is mostly inflicted by a male who has a close relationship with the woman—the husband, boyfriend, father or brother. This secrecy has made it difficult to grasp the dimensions of the phenomenon. Thus, violence against women has remained for too long unseen, and women have been left without protection and assistance.

Still not recognized

In addition, basic women's rights are still not recognized, says Ambassador Mervat Tallawy of Egypt, Chairperson of the United Nations Commission on the Status of Women and Chairperson of the United Nations Committee on the Elimination of Discrimination against Women. "Women are half of humanity," Ambassador Tallawy points out, "and still are not enjoying the basic human rights mentioned in the Universal Declaration, the International Covenants and so on."

Women see their rights violated in their daily lives, Tallawy says. "In stressing human rights we shouldn't neglect the silent majority. . . . The majority of women are denied their basic human rights every day: poorer women, rural women. . . . How can we protect their rights? All those concerned with human rights must look into this."

"We have to consider human rights as a package," she adds. "We should treat all these rights equally, and all beneficiaries of these rights should be treated equally. . . . Just as the environment was a catalyst for development issues, human rights should be a catalyst to promote equality among all groups of the population."

Protecting women's rights

Women's rights advocates draw strong conceptual support from the Forward-looking Strategies for the Advancement of Women to the Year 2000, adopted by the United Nations World Conference on Women in 1985. The concept expressed in the Strategies that "the advancement of women is without a doubt a precondition for the establishment of a humane and progressive society" reflects the belief that advancement in any given area cannot be made without corresponding advancements in other areas.

To promote such advancement, the United Nations has set international standards and brought about legally binding treaties, starting with the Convention on the Elimination of All Forms of Discrimination against Women—the primary international legal instrument to protect women's human rights.

Constitutional, legislative and other measures described in the Convention seek to promote equality through affirmative action, maternity protection, equal employment opportunities and equality before the law. In addition to the articles on civil and political rights, the Convention includes articles on the economic, social and cultural aspects of a woman's life.

Today 120 countries have ratified the Convention. They are thus legally bound to put into practice its provisions, and to submit reports on what they have done to improve the status of women to the United Nations Committee on the Elimination of Discrimination against Women. The 23-member expert Committee is the body charged with monitoring implementation of the Convention. It examines periodic reports by States parties, makes suggestions and recommendations to States on improving the status of women, and reports annually to the United Nations General Assembly.

Says Kay Fraleigh, representative of the International Alliance of Women at the United Nations: "The Committee seeks to keep the States parties 'on their toes' and to challenge them to take the measures necessary to ensure that the spirit of the Convention is upheld; to ensure that women's legal rights move from *de jure* to de facto; and to ensure that women are included in the decision-making which affects their lives."

The Committee, for instance, questions States parties on women's participation in government, the percentages of girls at all levels of education, protection of maternity; equal conditions of employment, family law and the condition of women migrant workers.

Various suggestions have been made to strengthen this monitoring system. The Committee could, for instance, be empowered to receive complaints from individuals and groups about States' violations of the Convention, as is the case under some other United Nations human rights treaties.

Several other United Nations instruments seek to protect women's rights. Among them are the Convention on the Political Rights of Women, the Convention against Discrimination in Education, the Convention on the Nationality of Married Women, and the Equal Remuneration Convention of the International Labour Organisation.

Combating violence against women

The latest international instrument in the making is a United Nations Declaration on Violence Against Women, now at the end of the drafting stage. The Declaration is being drafted by an expert group, on the recommendation of the Commission on the Status of Women. In the draft Declaration, such violence is defined as "any act, omission, controlling behaviour or threat, in any sphere, that results in, or is likely to result in, physical, sexual or psychological injury to women".

The Declaration calls on States to seek to prevent, investigate and punish acts of violence against women, whether perpetrated by individuals or by the State and its agents. States are called on to ensure that women subjected to violence and their children receive specialized assistance, such as rehabilitation and aid in child care.

The draft Declaration has been submitted to the Commission on the Status of Women for approval at its March 1993 session, and will be considered by the forty-eighth session of the General Assembly, convening in September 1993. The Declaration represents a breakthrough: it is the first universal legal instrument seeking to combat violence against women, and putting that abuse on the map of international human rights legislation.

Changing trends

But what is needed most is an overall shift in perception, many human rights experts argue. "Human rights are still considered to be more important than women's rights," Dr. Bunch states. "The distinction perpetuates the idea that the rights of women are of a lesser order than the 'rights of man'."

"In the United Nations," she adds, "the Human Rights Commission has more power to hear and investigate cases than the Commission on the Status of Women, more staff and budget, and better mechanisms for implementing its findings. Thus it makes a difference in what can be done if a case is deemed a violation of women's rights and not of human rights."

Another problem is that women's rights are too often perceived as a social rather than human rights question, argues Elsa Stamatopoulou-Robbins, Chief of the New York Office of the United Nations Centre for Human Rights, who complains about "the relative political marginalization of the issue".

"Treating women under the 'softer' social issues rather than the politically 'heavier' human rights issues has weakened the cause," she says. "Women's issues are . . . social issues but also human rights issues, and should be treated in both of these areas of the United Nations."

"Part of the problem," she adds, "is that traditional human rights NGOs have only recently had a women's angle, and women's NGOs did not participate in the Commission [on Human Rights] and other mainstream human rights bodies. This trend regarding NGOs seems to be in the process of being reversed."

Signs of change are on the rise, as traditional human rights organizations add women's rights to their agendas, new "women's rights watch" organizations are being formed, and statistics, studies and legal briefs are being produced.

Says Kay Fraleigh: "The 1990s have seen a shift in the perception of the relative value of achieving one human right over the others. Human rights issues are so interwoven that no advance can be made in one area without reference to another. And the growth of the understanding of what constitutes human rights has opened the possibilities for a greater acceptance of the concept that women's rights are human rights."

The key is in a stronger political presence, Ambassador Tallawy says. "In the 1960s, attention in the United Nations was concentrated on codification and legislation. As a result, a number of conventions were adopted, but discrimination has remained. In the 1970s, the stress was on women and development. However, development alone didn't get us too far in achieving equality. Now it is time for a political approach—by having women in positions of power dealing with human rights and other political and public issues. This doesn't mean that we should neglect development. But you have to empower women, put them on the political agenda."

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